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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROSENDO VASQUEZ,

Petitioner,

3:17-cv-00240-LRH-VPC

vs.

**ORDER**

ISIDRO BACA, *et al.*,

Respondents.

\_\_\_\_\_ /

In this habeas corpus action, the Court denied the *in forma pauperis* application of the petitioner, Rosendo Vasquez, on April 19, 2017, and ordered that, within 30 days, Vasquez was to either pay the five dollar filing fee or file a new application to proceed *in forma pauperis*. See Order entered April 19, 2017 (ECF No. 3). In that order, the Court warned that if Vasquez failed to pay the filing fee or file a new *in forma pauperis* application within the time allowed, this action would be dismissed. See *id.* Rosendo did not pay the filing fee, or file a new *in forma pauperis* application, as ordered, within that 30-day period, which expired on May 19, 2017. Therefore, on June 7, 2017, the Court dismissed this action, without prejudice. See Order entered June 7, 2017 (ECF No. 4); Judgment (ECF No. 5).

Then, on June 16, 2017, Vasquez filed a motion for reconsideration (ECF No. 6), requesting that the Court reconsider the dismissal of this action, reinstate the action, and grant him another 21 days to pay the filing fee.

1 The Court construes Vasquez's motion as a motion for relief from judgment pursuant to  
2 Federal Rule of Civil Procedure 60(b). The Court will deny the motion, as Vasquez does not show  
3 that such relief is warranted under Rule 60(b).

4 The dismissal of this action was without prejudice to Vasquez initiating a new habeas action  
5 in this Court. Vasquez has shown no reason why he would be prejudiced by doing so.

6 **IT IS THEREFORE ORDERED** that petitioner's Motion for Reconsideration (ECF No. 6)  
7 is **DENIED**.

8 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send to petitioner, along  
9 with a copy of this order, a copy of his habeas corpus petition and attachments (ECF No. 1-1), a copy  
10 of his motion for appointment of counsel (ECF No. 1-2), a copy of the form habeas petition for state  
11 prisoners, a copy of the form application to proceed *in forma pauperis* for state prisoners, and any  
12 available instructions regarding those forms.

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14 Dated this 19th day of June, 2017.

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16 LARRY R. HICKS  
17 UNITED STATES DISTRICT JUDGE  
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